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A2525837

3 October 2025

**Mr Gerry McNally**

Committee Secretary

Senate Education and Employment Legislation Committee

*via email: eec.sen@aph.gov.au*

Dear Mr McNally

**Response to adverse comment—Inquiry into the quality of governance at Australian higher education providers**

Thank you for your correspondence regarding a submission to the Senate Education and Employment Legislation Committee's inquiry into the quality of governance at Australian higher education providers, which contains adverse comments about the Office of the Commonwealth Ombudsman (the Office).

As Section 8 of the *Ombudsman Act 1976* requires the Office to conduct investigations in private, this response does not comment on the specifics of the investigation described in the submission.

Rather, I make a general comment on the use of Ombudsman's powers under the Ombudsman Act. The current Ombudsman has made clear his intention, where appropriate, to use the full suite of powers available to him under the Ombudsman Act<sup>1</sup>. The Office's Investigations Policy supports this intention by outlining the use of section 9 of the Ombudsman Act<sup>2</sup>, which the submission refers to, as one of several methods to obtain information.

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<sup>1</sup> [The Royal Commission into the Robodebt Scheme – Transcript of Proceedings, 9 March 2023](#) P-4795, line 30

<sup>2</sup> Commonwealth Ombudsman (2023) [Investigations Policy – Ombudsman Act 1976](#), page 28

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I also confirm this Office has previously been made aware of Professor Peter Tregear's concerns about the level of service we provided to him. We take complainant feedback about the quality of our services seriously and responded directly to Professor Tregear at that time. We were unaware that Professor Tregear continues to hold these concerns. It is disappointing to learn that we have not met his expectations, and we appreciate the opportunity this provides to consider how we can improve.

I do not have any objection to this letter being published by the Committee. If the Committee chooses to publish the submission, I would be grateful if the Committee were to redact the officer's name for privacy reasons.

Should you require further information regarding this matter, please contact Carmen Miragaya, Acting Senior Assistant Ombudsman, Investigations on [REDACTED] or [REDACTED]

Yours sincerely

[REDACTED]

**Sarah Bendall**  
**Acting Commonwealth Ombudsman**